



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

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THE HONOURABLE MRS JUSTICE N.MALA

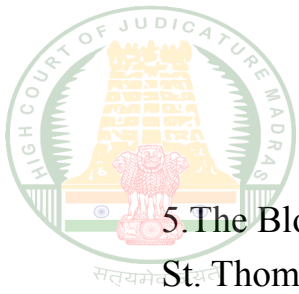
WP No. 35498 of 2023

Masjid-E-Ayesha
Perumbakkam Islamia Sunnath Jamaath
Represented by its President
M.Mohamed Ariff Maricar
Having Registered Office at,
Periyar Street, Perumbakkam,
Chennai 600 100.

Petitioner(s)

Vs

1. The District Collector,
O/o District Collector Chengalpattu,
Chengalpattu District.
- 2.The Revenue Divisional Officer,
O/o District Collector Chengalpattu,
Chengalpattu District.
- 3.The Divisional Revenue Officer,
Tambaram Taluk, Chengalpattu District.
- 4.The Thasildhar
Tambaram Taluk,
St.Thomas Mount Panchayat Union,
Perumbakkam Panchayat,
Chengalpattu District.



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5. The Block Development Officer,
St. Thomas Mount Panchayat Union,
Chengalpattu District.

6. The Panchayat President
St. Thomas Mount Panchayat Union,
Perumbakkam Panchayat,
Chengalpattu District.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, call for the records of the 4th respondent herein in pursuant to the impugned order dated 03.10.2023 in Na.Ka.12080/2023/aa.3 and quash the same and consequently direct the respondents to allot 100 cent of land in Survey No 430/1, Perumbakkam Panchayat, Chengalpattu District measuring an extent of 40.469 Ares to the petitioner viz Masjid-E Ayesha, Perumbakkam Islamia Sunnath Jamaath for the purpose of “Gabrasthan” (Burial Ground).

For Petitioner(s): Mr.T.Nixon

For Respondent(s): M/s.R.L.Karthika
Government Advocate
for R1 to R4
M/s.Abishek Murthy,
Government Advocate
for R5 and R6

ORDER

The present Writ Petition is filed for issuance of Writ of Certiorarified Mandamus to call for the records of the 4th respondent herein in pursuant to the impugned order dated 03.10.2023 in Na.Ka.12080/2023/aa.3 and quash the



same and consequently direct the respondents to allot 100 cent of land in Survey

No 430/1, Perumbakkam Panchayat, Chengalpattu District measuring an extent

of 40.469 Ares to the petitioner viz Masjid-E Ayesha, Perumbakkam Islamia

Sunnath Jamaath for the purpose of “Gabrasthan” (Burial Ground).

2. The case of the petitioner is that the petitioner belongs to Jamaath comprising of more than 2000 Islamic families and their family rituals and other ceremonies would be performed in consonance with the religious regulations of the Jamaath they belonged to. The main grievances of the petitioner is that the families coming under the Jamaath do not have burial ground on their own. From the year 2009, the petitioner is approaching the respondents for allotment of land for the purpose of burial ground ritually called as “Gabarsthan”. In this regard, the Panchayat Council of Perumbakkam passed a resolution dated 30.09.2009 recommending to the Government to allot 100 cents of Poramboke land located at Survey No.434 or 430/1 Perumbakkam Village for setting up of burial ground. Further, enquiry was also conducted by the 5th respondent and submitted NOC dated 16.09.2021 vide Na.Ka.No.92/2021/A1. As there was no



further development in the office of the respondents, the petitioner has filed

W.P.No.29185 of 2023 to consider the representation and consequently direct

the respondents to allot 100 cent of land in Survey No.430/1 to the petitioner for

the purpose of Gabrasthan. By the order dated 11.01.2022, this Court dismissed

the writ petition as infructuous recording the order dated 03.10.2023.

Aggrieved by the same, the petitioner had filed the present Writ Petition.

3. The learned counsel for the petitioner would submit that pending the Writ Petition, the petitioner has given a representation on 20.02.2025 to the first respondent/District Collector to allot 1 acre of land in Survey No.434 or 430/1 situated at Perumbakkam Panchayat for the purpose of Gabrasthan and the same is pending for consideration.

4. Ms.R.L.Karthika, learned Government Advocate appearing for the respondents 1 to 4 would submit that since the present writ petition is pending, the representation dated 20.02.2025 of the petitioner has not been considered.



5. Mr.Abishek Murthy, learned Government Advocate appearing for the respondents 5 and 6 would submit the term of the President got over in January, 2025.

6. Considering the submissions made on either side and the representation of the petitioner dated 20.02.2025 is still pending consideration with the first respondent and without going into the merits of the matter, this Court directs the first respondent to consider the representation of the petitioner dated 20.02.2025, after giving notice to all concerned and upon hearing them, pass a reasoned order on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

24-07-2025

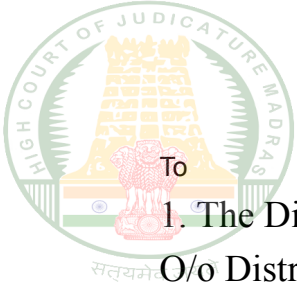
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

jd/dsn



To

1. The District Collector,
O/o District Collector Chengalpattu,
Chengalpattu District.

2. The Revenue Divisional Officer,
O/o District Collector Chengalpattu,
Chengalpattu District.

3. The Divisional Revenue Officer,
Tambaram Taluk, Chengalpattu District.

4. The Thasildhar,
Tambaram Taluk,
St. Thomas Mount Panchayat Union,
Perumbakkam Panchayat,
Chengalpattu District.

5. The Block Development Officer,
St. Thomas Mount Panchayat Union,
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6. The Panchayat President,
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N.MALA J.
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